



"Remarks of James J. Hoecker" Husch Blackwell Sanders LLP

A National Perspective on Energy Policy

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Political Climate

- Financial Distress
- Job Losses
- Concern About the Climate
- Introspective Foreign Policy
- Slack Energy Demand; Diverse Regional Impacts
- Partisan Divide in Washington
- New Administration-New Priorities

Stimulus and Responses

\$877 Billion Stimulus Package

Changing of the Guard

- Henry Waxman for John Dingell (House Energy and Commerce)
- Carol Browner to the White House
- Jon Wellinghoff to FERC Chairmanship
- Steven Chu as Secretary of Energy

The Emerging Agenda

- Pro-regulation; especially of environment
- Focus on carbon constraints
- Infrastructure investment (1.5 Trillion for electric systems over 20 years)
- Energy efficiency
- Renewable energy

Who's (Currently) In The Driver's Seat?

- Democratic majorities: 77 in House, 9 in Senate
 - -No consistent Republican support for energy agenda
 - -But watch out for the Blue Dogs
- On Carbon: Sen. Harry Reid (D-NV); Sen. Barbara Boxer (D-CA); Rep. Henry Waxman(D-CA), Rep. Ed Markey (D-MA), Rep. Rick Boucher (D-VA), Sen. Evan Bayh (D-IN)
- On Electric Policy:
 - -Sen. Reid (D-NV), Sen. Bingaman (D-NM), Sen. Bryan Dorgan (D-ND), Reps. Jay Inslee (D-WA) and Ed Markey (D-MA)
- State & Federal Officials with \$900 Billion to spend.

Climate Remediation: A Heavy Lift

Policy Alternatives	Pros	Cons
Cap-and-Trade	Emissions are directly regulated; known reduction targets	Complex market; price unknown
	Political support makes this alternative more probable.	Potential manipulation by speculators and energy companies
	Global agreement of cap- and-trade more likely than carbon tax.	Problems with cap-and- trade programs in Europe and Canada not reaching goals.
Carbon Tax	Simple to apply; known price	Price must be changed every year to meet emission reduction goals; reductions unpredictable
	Effective in reducing greenhouse gas emissions	The "T" word is politically problematic (especially in this economy)

GHG Regulation In a Nutshell

H.R. 2454 - American Clean Energy and Security Act (ACES) "Waxman-Markey" S. ___ - Clean Energy Jobs and American Power Act "Boxer/Kerry"

- Renewable Energy Standards
- Penalties for failure to reduce energy use
- Low-carbon fuel standards (LCFS)
- Cap and Trade
- New source performance standards
- Carbon capture and sequestration R&D

But, EPA is moving forward now . . .

New Challenges and Opportunities

- Transmission Infrastructure
 - Planning regional, interregional, interconnection wide
 - Siting federal backstop authority, the pipeline model
 - Cost Allocation and recovery a grab-bag of approaches
- Energy Storage
- Smart Grid Investment
- Nuclear Build-out
- Energy Efficiency and Demand-response

Preparing for the Energy Future

Strategic Targets

- Renewable energy
- "Smart" Technology
- Transportation
- Infrastructure; esp. electric, storage
- Fossil fuel in or out?

Human Resource Issues

- Green Jobs
- Retooling the workforce
- Regulatory control –Regionalism or A
 New Era of Resource Federalization?

Preparing for the Energy Future

Cautions

- Higher variable costs of conversion = weakened demand
- Sustainable priorities need bipartisan support
- Smart technologies risk being oversold
- Basic infrastructure may be under appreciated

Is Globalization A Winner for the US?

- Foreign investment in domestic energy and manufacturing
- Technology export
- Cement North American markets
- Copenhagen in December

The Near-term Prognosis

- Time table on Climate Change bills, EPA action
- Prospects for separate energy legislation
- Fossil fuel developments
- And you thought health care reform was contentious?

Enjoy the Conference

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